

## LAW (32)

### *AGENCY PLAN: STATEMENT OF PURPOSE, GOALS AND BUDGET SUMMARY*

#### STATEMENT OF PURPOSE:

The Law Department delivers exceptional and efficient legal counseling and representation to the Executive and Legislative branches of City government as mandated by the City Charter.

#### AGENCY GOALS:

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate, or minimize to the greatest extent possible, the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.
6. Effectively assist in community empowerment by vigorous prosecution of quality of life crimes, environmental and ordinance violations.

#### AGENCY FINANCIAL SUMMARY:

2008-09 <u>Requested</u>		2007-08 <u>Budget</u>	2008-09 <u>Recommended</u>	Increase (Decrease)
\$ 22,931,348	City Appropriations	\$ 22,664,898	\$ 22,723,896	\$ 58,998
\$ 22,931,348	Total Appropriations	\$ 22,664,898	\$ 22,723,896	\$ 58,998
\$ 2,720,000	City Revenues	\$ 3,149,357	\$ 2,720,000	\$ (429,357)
\$ 2,720,000	Total Revenues	\$ 3,149,357	\$ 2,720,000	\$ (429,357)
\$ 20,211,348	NET TAX COST:	\$ 19,515,541	<u>\$ 20,003,896</u>	\$ 488,355

#### AGENCY EMPLOYEE STATISTICS:

2008-09 <u>Requested</u>		2007-08 <u>Budget</u>	04-04-08 <u>Actual</u>	2008-09 <u>Recommended</u>	Increase (Decrease)
156	City Positions	142	131	148	6
156	Total Positions	142	131	148	6

#### ACTIVITIES IN THIS AGENCY:

	2007-08 <u>Budget</u>	2008-09 <u>Recommended</u>	Increase (Decrease)
Administration and Operations	\$ 21,714,898	\$ 21,773,896	\$ 58,998
Legislative Liaison	950,000	950,000	-
Total Appropriations	\$ 22,664,898	\$ 22,723,896	\$ 58,998

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### ***ADMINISTRATION AND OPERATIONS ACTIVITY INFORMATION***

#### **ACTIVITY DESCRIPTION: ADMINISTRATION AND OPERATIONS**

The function of this activity is to provide legal services to all branches of government of the City of Detroit. These services include researching and writing legal opinions, representing the City, its agencies and employees in a variety of legal proceedings, including condemnation proceedings, civil litigation, criminal prosecution of ordinance violations and claims against the City. Services also include reviewing all City contracts, leases, development agreements, indemnity agreements, preparing ordinances and rendering legal advice.

Sections within the department are Litigation, Labor/WC, 36<sup>th</sup> District Court, Claims, Municipal, Contracts, Tax/RC, Commercial and Appeals for a total of 9 sections. Major client agencies are: Mayor's Office, City Council, Police, Public Works, Transportation, Water and Sewerage, Planning and Development, Buildings and Safety Engineering, Finance, Public Lighting, Human Resources, Fire, Recreation, Budget, Health, Municipal Parking, and Civic Center for a total of 17.

#### **GOALS:**

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate or minimize to the greatest extent possible the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.
6. Effectively assist in community empowerment by vigorous prosecution of quality of life crimes, environmental and ordinance violations.

#### **MAJOR INITIATIVES FOR FY 2007-08:**

The City of Detroit Law/ITS section is in the process of completing a pilot-scanning project. This project was created for the purpose of electronically storing agency files and correspondence received in response to Freedom of Information Act (FOIA) requests. The records room staff will be assigned the task of scanning, saving the information and creating a Legal Key and Legal Edge matter number for each folder.

Files/correspondence received by the department will be scanned onto a server. After which, the records room staff will enter the files into Legal Edge and Legal Key as a new matter and assign the files a matter number. Upon completion of this process, files scanned onto the server will be placed on removable media. The records room staff will then identify the scanned, completed folder with the Legal Edge and Legal Key systems and put the removable storage away for safe keeping. The files from the agency departments will then be returned.

#### **PLANNING FOR THE FUTURE FOR FY 2008-09, FY 2009-10 and BEYOND:**

The department is continuously examining best practices of the legal industry to enhance department operations.

The department has established the appropriate supervisory staff ratios as a result of a department-wide workforce analysis. This will help the department streamline and fine-tune its operational practices for the future fiscal years, along with the continuous efforts to reduce operational costs now and into the future.

Both Federal and State Courts are moving towards total electronic filing of pleadings and documents. To that end, we see a need for the digitization of documents, both in the Law Department and other city departments. This would allow for easy and more economical access, transferring and storage of City records, by both City departments and the public.

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This would save a tremendous amount of money in costs; enable citizens to purchase documents from the appropriate departments on-line; and avoid time-consuming and costly requests.

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### ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS

Type of Performance Measure:	2005-06	2006-07	2007-08	2008-09
List of Measures	Actual	Actual	Projection	Target
<b>Inputs: Resources Allocated or Service Demands Made</b>				
Percentage of professional staff attending at least one external training program per year	100%	100%	100%	100%
Collection opportunities (fees, costs or sanctions)	N/A	98	98	100
FOIA requests – all	2,035	2,755	2,755	2,986
Municipal Public Hearings / Formal meetings	2,200	2,000	2,000	2,000
Municipal – Administrative Proceedings	4	5	5	5
<b>Outputs: Units of Activity directed towards Goals</b>				
Client training workshops	34	22	22	25
Number of face-to-face client contacts to assess client needs	2,248	2,566	2,566	2,645
Percent “plain English” documents	100%	98%	98%	100%
Number of risk management reports	5	6	6	6
Reporting of allegedly defective conditions	550	500	500	500
Clients’ risk management training initiated	5	N/A	N/A	N/A
Settlement write-ups completed within 10 days of agreement	100%	100%	100%	100%
Percent of timely responses to written assignments	94%	96%	96%	98%
Days between referral and collection initiation	45	45	45	45
Participation in City/related entities’ bond transactions	6	8	8	8
Bonds/Insurance Certificates Reviewed	700	705	705	715
Involvement in City commercial transactions <sup>1</sup>	1,540	1,850	1,850	1,850
Development agreements	50	50	50	50
Acquisition deed proceedings	10	10	10	10
Land contract collection actions	30	30	30	30
Number of cases handled by outside counsel <sup>2</sup>	7	N/A	N/A	N/A
Foreclosure cases pending (close of fiscal year)	8	N/A	N/A	N/A
Total Number of Labor Cases pending at start of fiscal year	535	563	563	550
Total number of Labor trials	20	20	20	20
Total number of appeals pending (close of fiscal year)	68	58	58	53
Municipal opinions rendered (written and oral)	6,250	2,200	2,200	2,200
Contracts opinions rendered (written and oral)	260	250	250	250
Labor cases to arbitration	233	233	233	233
Labor MERC cases	126	126	126	126
Veterans preference hearings	1	1	1	1
Police Trial Boards	500	500	500	500
Water Department contractor claims	4	10	10	10
Water Department opinions rendered	110	165	165	170

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<b>Type of Performance Measure:</b> List of Measures	<b>2005-06 Actual</b>	<b>2006-07 Actual</b>	<b>2007-08 Projection</b>	<b>2008-09 Target</b>
<b>Outputs (continued)</b>				
Disputed Water Bill Appeals – Cases Pending (close of fiscal year)	N/A	6	6	6
Subpoenas	800	720	720	750
Ordinances, Resolutions, Executive Orders	695	720	720	750
Labor/Employment Investigations	48	48	48	52
EEOC & MDCR claims	67	75	75	70
Worker Compensation redemptions	66	66	66	64
Civil service grievances	57	67	67	64
<b>Outcomes: Results or Impacts of Program Activities</b>				
Percentage of clients rating department services satisfactory or better	95%	97%	97%	98%
Total levels of revenue collections <sup>3</sup>	2,100,000	1,000,000	1,000,000	1,000,000
Bankruptcy collections	1,000,000	500,000	500,000	600,000
Income Tax collections (civil and criminal)	320,000	250,000	250,000	320,000
General accounts receivable amounts collected	747,000	250,000	250,000	180,000
Total amount of settlements paid against City	25,300,000	25,000,000	25,000,000	25,000,000
Total amount of arbitration paid against City	3,200,000	2,500,000	2,500,000	2,500,000
Total amount of judgments paid against City	800,000	7,000,000	7,000,000	7,000,000
<b>Activity Costs</b>	<b>\$22,805,747</b>	<b>\$18,706,207</b>	<b>\$21,714,898</b>	<b>\$21,773,896</b>

<sup>1</sup>Contracts Section/Commercial Division: including advice/counseling, negotiation, contract drafting and review.

<sup>2</sup>Contracted out for reasons other than conflicts and applicable insurance coverage.

<sup>3</sup>Includes collection of bankruptcy, municipal parking, income tax, property tax, general accounts receivable, general fees and utility users tax delinquencies; and environmental cost recoveries.

**CITY OF DETROIT**  
**Law Department**  
**Financial Detail by Appropriation and Organization**

<b>Administration</b>	<b>2007-08 Redbook</b>		<b>2008-09 Dept Final Request</b>		<b>2008-09 Mayor's Budget Rec</b>	
	<b>FTE</b>	<b>AMOUNT</b>	<b>FTE</b>	<b>AMOUNT</b>	<b>FTE</b>	<b>AMOUNT</b>
<b>Administration and Operations</b>						
<i>APPROPRIATION ORGANIZATION</i>						
00527 - Administration and Operations						
320010 - Administration	142	\$21,714,898	156	\$22,928,562	148	\$21,773,896
<b>APPROPRIATION TOTAL</b>	<b>142</b>	<b>\$21,714,898</b>	<b>156</b>	<b>\$22,928,562</b>	<b>148</b>	<b>\$21,773,896</b>
<b>ACTIVITY TOTAL</b>	<b>142</b>	<b>\$21,714,898</b>	<b>156</b>	<b>\$22,928,562</b>	<b>148</b>	<b>\$21,773,896</b>

**CITY OF DETROIT**  
**Budget Development for FY 2008-2009**  
**Appropriations - Summary Objects**

	<b>2007-08 Redbook</b>	<b>2008-09 Dept Final Request</b>	<b>2008-09 Mayor's Budget Rec</b>
<b>AC0532 - Administration</b>			
<i>A32000 - Law Department</i>			
SALWAGESL - Salary & Wages	10,237,425	10,853,690	10,525,374
EMPBENESL - Employee Benefi	6,746,480	7,262,179	6,587,917
PROFSVCSL - Professional/Cont	1,665,234	1,693,771	1,693,771
OPERSUPSL - Operating Supplie	404,456	405,456	404,456
OPERSVCSL - Operating Service	2,533,803	2,593,966	2,442,578
CAPEQUPSL - Capital Equipmen	87,500	87,500	87,800
OTHEXPSSL - Other Expenses	40,000	32,000	32,000
<i>A32000 - Law Department</i>	<i>21,714,898</i>	<i>22,928,562</i>	<i>21,773,896</i>
<b>AC0532 - Administration</b>	<b>21,714,898</b>	<b>22,928,562</b>	<b>21,773,896</b>
<b>Grand Total</b>	<b>21,714,898</b>	<b>22,928,562</b>	<b>21,773,896</b>

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### ***LEGISLATIVE LIAISON ACTIVITY INFORMATION***

#### **ACTIVITY DESCRIPTION: LEGISLATIVE LIAISON**

The City of Detroit engages the services of a legislative liaison in Lansing and in Washington, D.C. The appropriation pays for an office in Lansing and a contract for services in Washington. The Mayor's Office provides the oversight of this contract.

#### **GOALS:**

1. Represent the City's interest in all state and federal legislative matters pertaining to or having an effect upon the City of Detroit.
2. Keep the City Administration informed of the latest legislative attitudes and actions on matters pertaining to or having an effect upon the City of Detroit.

**CITY OF DETROIT**  
**Law Department**  
**Financial Detail by Appropriation and Organization**

Federal Legislative Services	2007-08 Redbook		2008-09 Dept Final Request		2008-09 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
LEGISLATIVE LIAISON						
APPROPRIATION						
ORGANIZATION						
00255 - Legislative Liaison						
320040 - Federal Legislative Services	0	\$300,000	0	\$0	0	\$300,000
APPROPRIATION TOTAL	0	\$300,000	0	\$0	0	\$300,000
11860 - State Legislative Services						
320045 - State Legislative Services	0	\$650,000	0	\$2,786	0	\$650,000
APPROPRIATION TOTAL	0	\$650,000	0	\$2,786	0	\$650,000
ACTIVITY TOTAL	0	\$950,000	0	\$2,786	0	\$950,000

**CITY OF DETROIT**  
**Budget Development for FY 2008-2009**  
**Appropriations - Summary Objects**

	<b>2007-08</b>	<b>2008-09</b>	<b>2008-09</b>
	<b>Redbook</b>	<b>Dept Final</b>	<b>Mayor's</b>
		<b>Request</b>	<b>Budget Rec</b>
<b>AC1032 - Legislative Liaison</b>			
<i>A32000 - Law Department</i>			
PROFSVCSL - Professional/Cont	900,000	0	900,000
OPERSUPSL - Operating Supplie	5,000	0	5,000
OPERSVCSL - Operating Service	45,000	2,786	45,000
<i>A32000 - Law Department</i>	<i>950,000</i>	<i>2,786</i>	<i>950,000</i>
<b>AC1032 - Legislative Liaison</b>	<b>950,000</b>	<b>2,786</b>	<b>950,000</b>
<b>Grand Total</b>	<b>950,000</b>	<b>2,786</b>	<b>950,000</b>

**CITY OF DETROIT**  
**Budget Development for FY 2008-2009**  
**Appropriation Summary - Revenues**

	2006-07 Actuals	2007-08 Redbook	2008-09 Dept Final Request	2008-09 Mayor's Budget Rec	Variance
<b>A32000 - Law Department</b>					
<i>00527 - Administration and Operations</i>					
449110 - Personal Services Ot-Ce	748,676	0	0	0	0
449160 - Personal Services-Airpo	3,642	15,000	15,000	15,000	0
449175 - Personal Services-Cedd	(725,357)	1,150,000	900,000	900,000	(250,000)
449190 - Personal Services-Hous	6,632	0	0	0	0
449200 - Personal Services-Mpd	28,373	100,000	100,000	100,000	0
449205 - Personal Services-Nsd	(822)	33,357	25,000	25,000	(8,357)
449215 - Personal Services-DOT	0	700,000	700,000	700,000	0
449220 - Personal Services-Wate	471,791	971,000	800,000	800,000	(171,000)
474100 - Miscellaneous Receipts	124,611	180,000	180,000	180,000	0
<i>00527 - Administration and Operations</i>	657,546	3,149,357	2,720,000	2,720,000	(429,357)
<b>A32000 - Law Department</b>	<b>657,546</b>	<b>3,149,357</b>	<b>2,720,000</b>	<b>2,720,000</b>	<b>(429,357)</b>
<b>Grand Total</b>	<b>657,546</b>	<b>3,149,357</b>	<b>2,720,000</b>	<b>2,720,000</b>	<b>(429,357)</b>

**CITY OF DETROIT**  
**MAYOR'S 2008-2009 RECOMMENDED BUDGET**

**Law Department**

<b>Appropriation</b>	<b>REDBOOK FY 2007</b>	<b>DEPT REQUEST</b>	<b>MAYORS FY 2008</b>
<b>Organization</b>	<b>2008 FTE</b>	<b>FY 2008 2009 FTE</b>	<b>2009 FTE</b>
<b>Classification</b>			
<b>00527 - Administration and Operations</b>			
<b>320010 - Administration</b>			
Corp Counsel - Election Comm	1	1	1
Deputy Corporation Counsel	1	1	1
Admin Asst GD II - Law	2	2	2
Executive Legal Secretary	1	1	1
Chief Asst Corporation Counsel	5	4	4
Supervising Asst Corp Counsel	10	11	11
Sr Asst Corporation Counsel	25	27	25
Sr Asst Corp Counsel Exempted	1	1	1
Assistant Corporation Counsel	34	38	35
Asst Corp Counsel - Exempt	4	4	4
Librarian IV - Law Reference	1	1	1
Records Manager	1	1	1
Legal Investigator	5	5	5
Legal Assistant	13	16	14
Senior Legal Secretary	5	5	5
Legal Secretary	19	20	20
Principal Clerk	2	1	1
Senior Clerk	3	4	4
Clerk	6	10	9
Office Assistant III	1	1	1
Office Assistant II	2	2	2
<b>Total Administration</b>	<b>142</b>	<b>156</b>	<b>148</b>
<b>Total Administration and Operations</b>	<b>142</b>	<b>156</b>	<b>148</b>
<b>Agency Total</b>	<b>142</b>	<b>156</b>	<b>148</b>